



AESCO SYSTEMS

14 South Bryn Mawr Avenue • Bryn Mawr, Pa 19010 • Phone: 610-527-5155 • Fax: 610-525-8610

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November 11, 1998

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Ms. Magalie Roman Salas, Secretary
Federal Communication Commission
445 12th Street, SW
Washington, DC 20554

RE: In the Matter of Independent Cable & Telecommunications Association's
Emergency Request for Immediate Relief from September 18, 1998
Termination Date for Co-Primary Terrestrial Fixed Service Designations
The 18.3-18.55 GHz Frequency Band, IB Docket # 98-172.

Dear Ms. Salas:

This letter is in support of the above Emergency Request for Immediate Relief filed November 5, 1998 by the Independent Cable and Telecommunications Association.

AESCO Systems has filed applications for 18GHz microwave licenses after the September 18, 1988 cut-off date. We are also preparing to apply for four (4) additional paths to other properties; we have no other alternative but to file.

Following is a brief background of how the license process fits in the business development for private cable operators and a statement on the major business disruptions that have occurred with the September 18th freeze on co-primary status.

It takes many months to negotiate a contract for private cable service to a single property. These contracts are negotiated after planning, site surveys and preliminary engineering work is completed. Part of this effort includes microwave site and path surveys. Only after the contract is signed is the design finalized, and the paths coordinated, and the application for microwave licenses submitted to the FCC.

This entire process takes about six months, costs thousands of dollars and does not permit the possibility of speculative applications.

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The September 18, 1998 cut-off of co-primary status in the 18.3-18.55GHz band means that contracts that are already signed to deliver 70 channels of microwave service for an extended period will be impossible to fulfill when ubiquitously deployed earth stations with primary status are deployed in the same service area.

Thus we are placed in the impossible position of having contractually committed to provide services which we will be unable to provide. With contracts to deliver 70 channels of service, and the almost certain loss of 40 of these channels when the "GSO/FSS" is deployed in 2 or 3 years we face breach of contract problems at these properties.

A freeze designed to prevent speculative accumulation of licenses is certainly understandable but this type of activity is totally impossible in our business.

At this time it appears that the frequency reallocations suggested by the NPRM are unworkable for the "GSO/FSS" people as well as the private cable operators. While this situation is being worked out we believe the freeze is entirely unfair and catastrophic to our present business and its future development.

Very truly yours,


Richard Ocko

RO/JH